

1 RONALD M. OSTER (SB# 57954)  
ronaldoster@paulhastings.com  
2 DENNIS S. ELLIS (SB# 178196)  
dennisellis@paulhastings.com  
3 JOSHUA G. HAMILTON (SB# 199610)  
joshuahamilton@paulhastings.com  
4 PAUL, HASTINGS, JANOFSKY & WALKER LLP  
515 South Flower Street  
5 Twenty-Fifth Floor  
Los Angeles, CA 90071-2228  
6 Telephone: (213) 683-6000  
Facsimile: (213) 627-0705  
7  
8 Attorneys for Plaintiff  
NEW WORLD TMT LIMITED

9  
10 UNITED STATES DISTRICT COURT  
11  
12 NORTHERN DISTRICT OF CALIFORNIA

13 NEW WORLD TMT LIMITED, a Cayman  
14 Islands corporation,

15 Plaintiffs,  
16  
17 vs.  
18 INTELLAMBDA SYSTEMS, INC., a  
19 Delaware corporation; WELLTIME  
INDUSTRIES, LTD., a British Virgin  
Islands Company, and JIANPING  
“TONY” QU, an individual,  
20  
21 Defendants.

22 CASE NO. C06-05564 SI (JL)

23 [PROPOSED] ORDER GRANTING NEW  
24 WORLD TMT LIMITED'S MOTION FOR  
25 ASSIGNMENT ORDER

26 Judge: Hon. Susan Illston  
27 Date: October 19, 2007  
28 Time: 9:00 a.m.  
Courtroom: 10

1                   The Motion for Assignment Order of New World TMT Limited came on for  
 2 hearing on October 19, 2007 at 9:00 a.m., before the Hon. Susan Illston in Courtroom 10 of the  
 3 above entitled court with appearances for counsel as follows: Ronald Oster appeared for the  
 4 judgment creditor, New World TMT Limited ("New World") and the judgment debtor,  
 5 Intellambda Systems, Inc. ("Intellambda"), did not appear. The Court having considered the  
 6 motion and good cause appearing:

7

8                   IT IS HEREBY ORDERED that New World's Motion for Assignment Order is  
 9 GRANTED.

10

11                   IT IS FURTHER ORDERED THAT the following rights of Judgment Debtor,  
 12 Intellambda Systems, Inc., be, and hereby are, assigned to the judgment creditor, New World  
 13 TMT Limited:

14

15                   (a)     **All rights pertaining to and arising from the following  
                      United States Patents:**

16

17                   United States Patent Number 7,142,746 "Optical Backplane  
                      system"

18

19                   United States Patent Number 7,174,066 "Method and an apparatus  
                      to detect signal failure on a per wavelength basis"

20

21                   United States Patent Number 7,283,741 entitled "optical  
                      redoubtable redundancy scheme"

22

23                   (b)     **All rights pertaining to and arising from the following  
                      pending patents:**

24

25                   Serial Number 10/867,948 entitled "optical switch matrix" filed  
                      June 14, 2004

26

27                   Serial Number 10/455,933 entitled "optical network topology  
                      databases on a set of connectivity constraints" filed June 6, 2003

28

29                   Serial Number 10/626,055 entitled "quality of service based optical  
                      network topology databases" filed July 23, 2003.

30                   Serial Number 10/626,363 entitled "source based scheme to  
                      establish communication paths in an optical network" filed July 23,  
                      2003

1 Serial Number 10/862,181 entitled "selective distribution messaging  
2 scheme for an optical network" filed June 3, 2004

3 Serial Number 4754452.3 entitled "optical network topology  
4 databases and optical network operations – EPO" filed June 4, 2004

5 Serial Number 2006-515218 entitled "optical network topology  
6 databases and optical network operations – Japan" filed June 4,  
7 2004

8 Serial Number US2004/17845 entitled "optical network topology  
9 databases and optical network operations – PCT" filed on June 4,  
10

11 Serial Number 10/754,931 entitled "method and apparatus for a  
12 network database in an optical network" filed January 9, 2004

13 Serial Number 4754359 entitled "optical network database and  
14 optical reroutable redundancy scheme – EPO" filed June 4, 2004

15 Serial Number US2004/17735 entitled "optical network database  
16 and optical reroutable redundancy scheme – PCT" filed June 4,  
17 2004

18 Serial Number 10/785,597 entitled "fast fault notifications of an  
19 optical network" filed February 23, 2004

20 Serial Number 11/060,562 entitled "reroutable protection schemes  
21 of an optical network" filed February 16, 2005

22 Serial Number US2005/005397 entitled "reroutable protection  
23 schemes of an optical network – CIP – PCT" filed February 17,  
24 2005.

25 Serial Number 10/781,227 entitled "methods and apparatuses for  
26 handling multiple failures in an optical network" filed February 17,  
27 2004

28 Serial Number 10/781,080 entitled "multiple redundancy schemes  
in an optical network" filed February 17, 2004

Serial Number 11/064,330 entitled "method and apparatus for  
optical performance monitoring" filed February 22, 2005

Serial Number 616523.7 entitled "a method and apparatus for  
optical performance monitoring – EPO" filed February 23, 2005

Serial Number US2005/006026 entitled "a method and apparatus  
for optical performance monitoring – PCT" filed February 23, 2005

Serial Number 60/547,272 entitled "method and apparatus for  
optical performance monitoring" filed February 23, 2004

Serial Number 10/785,617 entitled "method and apparatus to  
automatically verify connectivity within an optical network node"  
filed February 23, 2004

Serial Number 10/785,618 entitled "method and an apparatus to provide optical equipment protection" filed February 23, 2004

Serial Number US2006/021986 entitled "quality of service in an optical network – PCT" filed June 6, 2006

Serial Number 11/215,068 entitled "optical switches" filed August 29, 2005

Serial Number US2006021990 entitled "aggregating optical network device - PCT" filed June 6, 2006

Serial Number 11/356,918 entitled "error detection and recovery of an optical network element" filed February 16, 2006

Serial Number EP06735913.3 entitled "error detection and recovery of an optical network element" filed February 24, 2006

Serial Number PCT/US2006/06433 entitled "error detection and recovery of an optical network element – PCT" filed February 24, 2006

Serial Number 11/356,545 entitled "inter-module communications of an optical network element" filed February 16, 2006

Serial Number EP06736056.0 entitled "inter-module communications of an optical network element" filed February 24, 2006

Serial Number PCT/US2006/006633 entitled "inter-module communications of an optical network element – PCT" filed February 24, 2006

Serial Number 11/546,676 entitled "modular wss based communications system with colourless add/drop interfaces" filed October 11, 2006

Serial Number 60/725,728 entitled "modular WSS based communications system" filed October 11, 2005

(c) All rights pertaining to and arising from the following expired patent applications:

Serial Number 60/608,570 entitled "optical backplane system" filed September 9, 2004

Serial Number 60/688,166 entitled "quality of service in an optical network filed June 6, 2005

Serial Number 60/688/203 entitled "electrically switched optical protection for aggregating optical network device" filed June 6, 2005

Serial Number 60/656,635 entitled "error detection and recovery of

1 an optical network element" filed February 25, 2005

2 Serial Number 60/656,769 entitled "inter-module communications  
3 of an optical network element" filed February 25, 2005

4 **(d) Title to the following tangible property attendant to the  
above listed intellectual property rights:**

5 The following lab equipment:

- 6 (2) Tunable Laser Source
- (4) Optical Spectrum Analyzer
- (1) Tektronix 2465B 400MHz scope
- (1) Tektronix TDS 3045B o'scope
- (1) Tektronix TDS 3032 o'scope
- (1) Firebird 6000A Communication Analyzer
- (1) Agilent OmniBER 718 SONET tester
- (2) HP16702A Logic Analyzer
- (1) Agilent DCA 86100A oscilloscope
- (1) Agilent Infinium 500Hz o'scope
- (1) USB GPIB Interface
- (1) ANDO AQ8204 frame controller
- (2) ANDO AQ8201-43 1x12 Optical switch module
- (1) ANDO AQ8201-412 1x2 Optical switch module
- (1) ANDO AQ8201-22M Optical attenuator module
- (1) ANDO AQ8201-21 OPM module
- (1) ANDO AQ8201-13B ECL module
- (1) FD440 Chromatic test set
- (1) JDSU PS3 PDL meter
- (1) HP 11896A Polarization Controller
- (1) HP 86120C Multimeter
- (1) HP 8648A Signal Generator
- (1) Acterna ANT-20 SONET analyzer with jitter
- (1) Acterna ANT-20 SONET analyzer
- (1) Spirent ADTECT Analyzer
- (1) Spirent Smartbit 200
- (1) Fujikura 30R Fusion Splicer
- (9) Power supply GPR-603D 60V
- (6) Power supply GPS-4303
- (2) Power supply PSP-2010
- (1) Power supply Agilent E3620A
- (3) Power supply Agilent E3630A
- (2) Power supply GPR-1810 HD
- (1) Power Supply GPS-3303
- (8) Xantrex 60V power supply
- (1) Laser fault locator
- (1) JDS Fitel 1x8 switch
- (2) Netttest power meter
- (1) BK Precision Pulse Generator
- (1) Agilent 34970A Data acquisition
- (1) Ixia 400 traffic generator
- (1) Lantronix switch
- (1) HP switch 2650
- (1) JDSU 1x32 optical switch
- (4) Fluke 177 multimeter

- 1                   (1) ANDO AQ-2150A optical power meter
- 2                   (1) ANDO 2140 optical power meter
- 3                   (2) FIS optical power meter
- 4                   (1) JDSU PR2000 Polarization Controller
- 5                   (2) JDS 1x16 optical switch
- 6                   (2) Eigenlight power attenuator
- 7                   (1) Luna Technology optical Vector Analyzer
- 8                   (1) HP Desigjet 500 PS printer
- 9                   (1) HP Desigjet 100 printer
- 10                  (5) ADC Power Worx circuit breaker
- 11                  (1) 1/2 ton HP sander
- 12                  (1) 2 HP 20-in Drill Press
- 13                  (1) Hand Notcher
- 14                  (1) Aboa Press
- 15                  (1) Husky Air Compressor
- 16                  (1) Work Force Press

The following optical components:

- 17                  (7) Variable gain Pre-amp (type1)
- 18                  (20) Fixed +19 dB gain Booster(type2)
- 19                  (9) Fixed gain pre-amp (type 3)
- 20                  (20) Flat Top AWG
- 21                  (21) Gaussian AWG
- 22                  (62) 95:5 fiber coupler
- 23                  (111) 50:50 fiber coupler
- 24                  (102) 1x2 MOM switch- 0012NW350
- 25                  (24) 2.5G SFP transceiver 1510 nm
- 26                  (29) VOA
- 27                  (7) Tunable CD Compensator circulator
- 28                  (17) 10G XFP Transceiver
- 29                  (243) 2.5G SFP transceiver 1310 nm
- 30                  (22) 2.5Gbps tunable Tx
- 31                  (12) Layer 1 flex circuit (terminated)
- 32                  (12) Layer 2 flex circuit (terminated)
- 33                  (12) Layer 3 flex circuit (terminated)
- 34                  (12) Layer 4 flex circuit (terminated)
- 35                  (12) Layer 5 flex circuit (terminated)
- 36                  (12) Layer 6 flex circuit (terminated)
- 37                  (12) Layer 7 flex circuit (terminated)
- 38                  (12) Layer 8 flex circuit (terminated)
- 39                  (10) Layer 9 flex circuit (terminated)
- 40                  (44) EFM to DTM cable
- 41                  (405) HBMT.MB.ADPT: Screw Version
- 42                  (450) HBMT Dboard Assy,Dboard Float
- 43                  (208) Duplex LC connector ( EFM card)
- 44                  (2) MT connector (blue), 12F, dcard
- 45                  (5) MT connector (green), 12F, dcard
- 46                  (5) MT connector (red), 12F, dcard
- 47                  (4) MT connector (yellow), 12F, dcard
- 48                  (5) MT connector (yellow), 8F, dcard
- 49                  (10) HBMT ( blue) 8F ribbon, 1m-Mtboard
- 50                  (198) Diamond,adapter green,F3400
- 51                  (47) Diamond,Adapter black,F300BP
- 52                  (92) 2X Diamond( F) 3148 backplane Con.

- (14) Diamond back plane cable
- (96) Diamond fiber optic pigtail
- (67) Diamond connector w/open fiber pigtail
- (91) 8-channel photodiode array PDA-8000491
- (42) 2.5Gbps Rx
- (4) OCM
- (79) 8x8 OXC-Beta (Web7)
- (6) OMS switch assembly
- (5) 10G transponder
- (8) 10G transponder

(e) All minor electrical components such as resistors, capacitors, wiring, and other similar electrical components obtained by Taseon from Intellambda in conjunction with the above listed property, the value of which is negligible and in no event shall exceed \$100,000.

(f) All of Intellambda's trade secrets; copyrights; patents, patent applications and patentable inventions; trademarks, service marks, trade names and trade dress and goodwill and moral rights associated therewith; research product plans, developments, inventions, processes, designs, specifications, and algorithms; software (including, but not limited to, source code (including revision histories), object code, and license key mechanisms); know-how and other engineering and technical data; all rights under confidentiality, non-disclosure, inventor's rights and non-competition agreements, end-user licenses and all other proprietary rights, including but not limited to intellectual property and intangible rights (including third party licenses), passwords and security phrases used in connection with the Business.

NOTICE IS HEREBY GIVEN THAT FAILURE BY THE JUDGMENT DEBTOR TO COMPLY WITH THIS ORDER MAY SUBJECT THE JUDGMENT DEBTOR TO CONTEMPT OF COURT.

10/19/07

DATED:

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Honorable Susan Illston,  
Judge of the United States District Court,  
Northern District of California